

Notice of Allowability

Application No.

10/750,986

Examiner

Marissa J. Detschel

Applicant(s)

POULTNEY, SHERMAN K.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed June 14, 2006.
2. ☒ The allowed claim(s) is/are 1-61.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 7/24/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20060920
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald Featherstone (RN 33,876) on September 20, 2006.

The application has been amended as follows:

- In claim 1, line 5, the phrase "adapted to be" has been removed.
- In claim 15, line 3, the phrase "adapted to be" has been removed.
- In claim 27, line 4, the phrase "is adapted to generate" has been replaced with --generates--
- In claim 40, line 3, the phrase "adapted to" has been replaced with --positioned to--
- In claim 61, the last line of "calculating wavefront parameters from the image." has been removed.
- In claim 61, the word --and-- has been added to the end of line 10.
- In claim 61, line 12, the phrase "second grating." has been replaced with --second grating to obtain wavefront parameters from the multiple images.--

Terminal Disclaimer

The terminal disclaimer filed on October 10, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of USPN 6,867,846 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Information Disclosure Statement

The information disclosure statement filed on July 24, 2006, has been fully considered by the Examiner.

Allowable Subject Matter

Claims 1-61 are allowed in view of the prior art.

The following is an examiner's statement of reasons for allowance:

As to claim 1, the prior art of record, taken alone or in combination fails to disclose or render obvious a wavefront measurement system comprising a first grating positioned in an object plane wherein lines of the first grating comprise a plurality of dots, in combination with the rest of the limitations of claim 1.

As to claim 27, the prior art of record, taken alone or in combination fails to disclose or render obvious a wavefront measurement system comprising a first grating positioned on a reticle stage wherein lines of the first grating comprise a plurality of dots, in combination with the rest of the limitations of claim 27.

As to claim 60, the prior art of record, taken alone or in combination fails to disclose or render obvious a system for EUV photolithography comprising a first grating

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positioned on a reticle stage wherein lines of the first grating comprise a plurality of dots, in combination with the rest of the limitations of claim 60.

As to claim 61, the prior art of record, taken alone or in combination fails to disclose or render obvious a method of measuring a wavefront of an optical system comprising positioning a first grating in an optical path of the optical system, wherein lines of the first grating comprise a plurality of dots, in combination with the rest of the limitations of claim 61.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

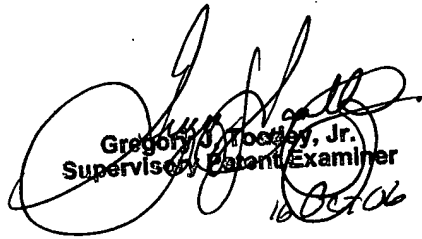
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa J. Detschel whose telephone number is 571-272-2716. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on 571-272-2059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJD
October 16, 2006


Gregory J. Hostley, Jr.
Supervisory Patent Examiner
10 Oct 06